

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MARQUISE C. NORTHERN-
WALKER and JAC'QUISE W. NORTHERN-
WALKER, Minors.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
February 22, 2007

Petitioner-Appellee,

v

JASMINE L. NORTHERN,

Respondent-Appellant,

and

MARQUISE C. WALKER,

Respondent.

No. 271498
Wayne Circuit Court
Family Division
LC No. 03-422512-NA

Before: Sawyer, P.J., and Fitzgerald and Donofrio, JJ.

MEMORANDUM.

Respondent mother appeals as of right from an order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The trial court did not err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Marquise came into care July 31, 2003, because of unsuitable housing and environmental neglect. He appeared to be well cared for in all other respects and the referee was hopeful that the child would be returned to his parents' care in short order. However, respondent mother's substance abuse and mental health issues became an obstacle and were large components of her treatment plan. Jac'Quise came into care on July 1, 2004, based on the fact that Marquise was still in foster care and attempts at reunification were unsuccessful.

Although respondent mother took steps just before the termination hearing to address her alcoholism, she lacked consistency and evidence of a solid after-care program. Her psychiatric evaluation revealed that respondent mother had schizo-affective disorder. Therapy and a drug

regimen were recommended, but respondent mother did not follow through with the recommendations. Housing remained an issue as well. Respondent mother had at least five homes during the proceedings, none of which was suitable. At the time of the termination trial, respondent mother was living with a girlfriend and the girlfriend's teenaged son in a two-bedroom apartment. In addition, the children each had very special medical needs that respondent mother did not seem to appreciate. Although she was ordered to attend their medical appointments, respondent mother attended only one in three years.

It was clear that the conditions leading to adjudication continued to exist, that respondent mother was unable to provide the children with proper care or custody, and that the children would have likely been harmed if returned to their mother's care. The trial court was required to terminate respondent mother's parental rights unless it appeared from the record that termination was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Marquise had been in foster care for three years, and Jac'Quise for two years. During that time respondent mother failed to substantially comply with her parent-agency agreement and she failed to regularly visit the children. Additionally, the children each had special needs. They were entitled to permanence and stability.

Affirmed.

/s/ David H. Sawyer
/s/ E. Thomas Fitzgerald
/s/ Pat M. Donofrio